The United States and Pakistan: Navigating a Complex Relationship: Christine Fair Prepared Testimony

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I would like to thank the US Commission on International Religious Freedom for holding this hearing today on "The United States and Pakistan: Navigating a Complex Relationship." It is a great pleasure to have this opportunity to offer you my personal views on the current situation in Pakistan and to suggest ideas for future US policy in this critical country in South Asia. I want to add that the views I express are my own and not necessarily those of the U.S. Institute of Peace, which does not advocate specific policy positions.OverviewPakistan is a vital ally in the US-led global war on terrorism just as it was in the US efforts to repel the Soviets from Afghanistan two decades ago. Yet Pakistan is confronting a number of its own challenges even as it has committed itself to helping the United States achieve its objectives. Serious questions persist about nuclear proliferation, military domination over civilians, weak systems for justice provision, internal threats from terrorism and sectarian violence, as well as lingering doubts over Pakistan's ability to permanently abandon the use of militants in Indian-administered Kashmir.The United States has committed extensive resources to help Pakistan fortify itself against these myriad challenges. The United States has committed 3 billion dollars over the next 5 years, evenly divided between military assistance and economic support. The United States is embarking on several specific programs through USAID and the US Department of State, Bureau of International Narcotics and Law Enforcement (INL). USAID programs focus on promoting equality, stability, economic growth and improved well-being of Pakistani families, including assistance to improve access to quality education. INL assistance has helped Pakistan fortify its 1,500-mile border with Afghanistan, contend with smuggling and trafficking, border security, as well as with financial crimes and money laundering. In addition INL has ongoing programs regarding the training and professionalization of the civilian police forces.As an Urdu and Punjabi speaker, I have had the opportunity to interact with Pakistanis of various socio-economic and ethnic backgrounds and have discussed with a number persons US policies towards Pakistan and elsewhere. I would like to share with you several persistent concerns that Pakistanis have shared with me over the last three years and during numerous trips to Pakistan. Pakistanis see an inconsistency in US policy: The US purports to support democracy in other countries while resolutely buoying a military leader in Pakistan. US actions and inactions (both perceived and real) in Muslim-dominant areas deeply affect Pakistanis, including: US policy towards Israel and the Palestinian people, US operations in Afghanistan and Iraq, and US support for various non-democratic governments in Muslim countries. There is also an enduring perception that President Musharraf takes his cues on national policy from President Bush. This has caused many Pakistanis to believe that President Musharraf has compromised Pakistan's sovereignty. Pakistanis are religious moderates and many support President Musharraf's stated objective of "Enlightened Moderation,"1 although there are numerous doubts that this will be achieved. Pakistanis note that US policies in the country and in the region encourage obscurantist rejections of President Musharraf's bold initiatives.Today, I am going to dilate upon three specific areas that are either distorted, mischaracterized or not attended to at all, in policy circles in the United States: (1) Pakistan's religious schools (madaris) and the undo attention that they have garnered;(2) issues inherent in the US focus upon border operations in Pakistan's tribal area; and, (3) structural challenges to US efforts to professionalize the police.Reexamining Education and the MadarisSince 9-11, Pakistan's madaris (plural of madrassah) have concentrated the efforts of policy makers. There are a few specific reports that motivated this concern, including a 2002 International Crisis Group (ICG) report. This study claimed that 33 percent of all enrolled students attend madaris2. These figures were quickly picked up and used by other analysts, who generally made little or no effort to corroborate these figures apart from relying upon interview data on the subject. A recent World Bank study has taken a novel approach to this problem: they actually looked at nationally representative and credible household data that provide information about family education choices.This study identified an important error in the way in which the ICG report calculated the percent of children enrolled in madaris (between 1 and 1.7 Million) as a fraction of all children enrolled in any school. Unfortunately, the ICG mistakenly used 1.92 Million as the figure for all enrolled children when the actual number of enrolled children is 19.2 Million. Thus, the ICG should have reported that 3.3 percent of students are enrolled in madaris. Using their independent method of analyses, the World Bank researchers found that the figure may in fact be as low as 0.07 percent.3While the figure of madrassah enrollment is overall very low, other researchers have found that there is extreme geographical variation in the intensity of enrollment. Furthermore, higher concentration of madrassah enrollment has also been found to correlate with higher incidence of some kinds of violence (e.g. sectarianism).4Despite the relatively small numbers of students in madaris, there are other reasons to care about the training these students receive. Limited attitudinal studies of students and teachers in madaris, public schools and private schools find that madrassah students are much more intolerant than students educated elsewhere and their teachers are even more so. Furthermore, madrassah students and instructors are far more likely than their peers in other educational institutions to support open war with India over Kashmir, more likely to support the use of jihadi groups to resolve Kashmir, and less likely to prefer peaceful means to resolve conflicts.5If all of these madrassah-educated children found their way into militant training camps, there would be significant problems for the region and beyond. But the data on the actual involvement of madaris in making militants is far from clear. The work of Marc Sageman and others repeatedly find that terrorists tend to be better educated than their peers and less likely to be poor.6 There is a strong degree to which this holds in Pakistan's case as well. My research has found that madaris do not seem to be producing the militants that we find operating in Kashmir and in India and within Pakistan.7 For specific historical as well as operational reasons, madaris have contributed to militant cadres in Afghanistan.This brings me to my main concern: the focus on madaris and their overall small market share has overshadowed the much larger set of problems concerning access to

quality public education in Pakistan. (Pakistan has a vibrant private school sector as well, which is generally overlooked in these discussions.) Several studies of Pakistan's curricula repeatedly demonstrate that the national curricula has done much to adversely shape students' worldviews on Pakistan's relations with India, the importance of militant jihad, the role of Islam in the history of South Asia, and the means by which an independent Pakistan came to be. Furthermore these studies show that the curriculum promotes intolerance towards non-Muslims as well as sectarian minorities within Pakistan (e.g. the Ahmadiyya community).8Pakistan's educational system is creating citizens who have opinions and beliefs that are not conducive to a peaceful coexistence of Pakistan with its neighbors or even coexistence among Pakistan's various religious communities.The United States has established a $100 million over five-year education initiative with the Government of Pakistan. This is being executed by USAID.9 While these programs do not specifically target madaris, teachers and administrators from all schools (public, private and religious) are encouraged to participate in USAID-sponsored programs. US efforts are particularly focused on the provinces of Sindh and Baluchistan.10But while these planned initiatives appear to be extensive, the issue of curriculum reform and the above-exposited concerns need greater attention. As noted above, the national curriculum is deeply problematic. Pakistanis developing modified curriculum should be encouraged to emphasize tolerance and more (and better) information about "the other," including: non-Pakistanis and non-Muslims, religious minorities in Pakistan as well as Pakistanis who adhere to variants of Islam that are not accepted as mainstream in Pakistan.Curriculum reform must also be attuned to Pakistan's current and future economic needs. As any economist will tell you, enrollment in school at most levels is related to the economic returns on education in the labor market (or in some cases home production). Thus it is imperative that the education system be reformed in concert with the current and projected economic needs of the country. It is important to calibrate expectations of young graduates appropriately and to ensure that Pakistan's ability to create appropriate jobs for these graduates keeps pace with its growing youth population and expanded education targets.Few (if any) efforts to alter the focus of Islam in Pakistan's national curriculum have come to fruition. Both Islamist groups and high-level Pakistani political leadership have resisted these efforts vigorously.11 There is good historical reason for this recalcitrance. Many analysts, including Mr. Husain Haqqani, note that the state has pursued a deliberate policy of Islamization and has promoted policies of jihad as early as the 1960s in order to achieve Pakistan's domestic and foreign objectives.12 Other analysts believe that this was a more recent strategy pursued first by Zulfiqar Ali Bhutto and pursued with greater vigor under General Zia. While the temporal origins of this policy can be debated, what is not disputed is that this policy has numerous stakeholders within Pakistan's security apparatus who are vested in the status quo. Their position is buttressed by prominent religio-political institutions and leaders that stridently oppose efforts to change the system. Finally, many Pakistan watchers believe that there is uneven political will within the state to reverse course notwithstanding Musharraf's stated goals of "Enlightened Moderation."The Pakistan-Afghanistan Border Areas13With the onset of US military operations in Afghanistan, the United States has worked with Pakistan to expand state penetration of this border area. Pakistan has generally followed a two-pronged approach that has intermittently relied upon military and socio-political means to secure its border. The US provided Pakistan with five helicopters, some 1,100 vehicles and communication equipments to help Pakistan monitor the border and to minimize infiltration and exfiltration of Al Qaeda and Taliban fugitives. Pakistan launched an extensive 2004 military initiative to ferret out foreign terrorists the Federal Administered Tribal Area (FATA). Many Pakistani security forces lost their lives in these operations, underscoring the dedication of the Pakistan armed forces in this endeavor. Of the numerous foreign militants killed or captured in those operations, none included high-level Al Qaeda operatives. Rather they included a large number of Chechens, Uzbeks, Central Asians and even Chinese Uighers.14In many cases, the foreign fighters were in this area prior to US operations in Afghanistan in 2001. Persons familiar with the region understand that there are a number of reasons for their presence in FATA. With the Soviet invasion, Muslims from all over the world came to this area to join the jihad to repulse the Soviets. When that conflict ended, many were not permitted to return home. These persons stayed on in this tribal belt, married local women, and for all intents and purposes made their lives there. (Farraj Al Libbi, captured in Mardan, exemplified this.) Thus, the local population-nearly all of which are Pakhtuns-reveres these persons because of the great sacrifices they made to aid their co-ethnics and tribal relations across the border in Afghanistan. Furthermore, traditional codes of Pakhtun honor require persons to give shelter to those in need.15 This area is also hospitable to foreign fighters because it is both remote while still affording access to major lines of communication and transit points and because, until recent years, the Pakistani central government has not had the interest, will or the resources to extend its presence to this area.The Pakistani military operations in FATA have several critics within Pakistan. These opponents phrase their concerns within the lexicon of human rights. During those 2004 operations, the military enforced the long-standing punitive measures based on the notion of tribal collective responsibility. For example, should a tribe or sub-tribe decline to remand persons to Pakistan authority, homes of tribal members can be destroyed even if the particular household had nothing to do with the individual in question. Consequently many families had their homes destroyed.16 Editorials and discussions of these events in Pakistan compared these acts to the Israeli operations against Palestinians. In fact, they generally noted that the situation in FATA was worse because it involved Muslims destroying the homes of fellow Muslims.17While Pakistanis observe that ongoing operations in FATA are important and resources are required to sustain these initiatives, Pakistani officials note that they need help in other areas as well. They rightly point out that all of the important Al Qaeda captures have been in Pakistan's cities, with the recent exception of Al Libbi. State penetration into its sprawling urban areas is problematized by a dearth of resources and deep distrust of the security forces among broad swathes of the polity. Furthermore, Pakistan's population terrain is diverse and, in cities like Karachi, consists of large Arab populations and other non-Pakistanis. As a result, a wide array of foreign nationals can either pass for "Pakistani" or otherwise appear to be in the country for legitimate reasons.The Pakistan government is taking considerable steps with US assistance to control entry into the country. However, Pakistani officials note that there is greater need to help the Ministry of Interior as well as other security forces to operate in areas outside of FATA. In FY04,

some 11 million dollars were budgeted to support law enforcement in Pakistan.18 These resources simply may not be adequate for the task.Police Reform and Decentralization19The above-noted $11 million for law enforcement for FY 04 included $9.3 million for police reform and $1.5 million to support law enforcement agencies. (There was no allocation for police reform before FY04).20 This is a modest figure when compared to the resources made available to the military and to the educational sector. This is unfortunate because police reform is central to creating a lasting environment of security in Pakistan.A brief review of the history of police law in Pakistan is informative. Pakistan, like India and Bangladesh, inherited the British Police Act of 1861, which was modeled on the Irish Constabulary. The police forces created by this act principally were charged with controlling the population, often through coercive means, in the service of the colonial state. Upon attaining independence, policing in Pakistan continued to be governed by this ordinance and persisted in its focus upon population management for the post-colonial state.Consequently, the police-like many civil institutions in Pakistan-have been generally unaccountable, underpaid and corrupt. Often they served as the "on-call henchmen" of politicians and local thugs, who are often one in the same. A retired high-ranking former police officer has even described his fellow cadre as behaving more like an occupying force.21 This same police officer in his study noted that Pakistanis are very unlikely to seek police assistance under most circumstances. In fact, he found that very few Pakistanis even knew how to call the police or how to file a first-information report (FIR). Furthermore, he found that police may simply choose not to accept this FIR. On the whole, he found that people would rather avoid dealing with the police, as there would certainly be even greater untoward consequence for doing so.The implications for the war on terrorism and for Pakistan's security are obvious: unless people feel empowered to report suspicious persons and activities, critical intelligence is lost and criminal and militant elements alike can operate with relative impunity. This need for local intelligence is critical for breaking cells and finding hideouts in Pakistan's sprawling mega-cities and clearly should be a key objective of US assistance to Pakistan.In 2002, Pakistan took the bold step of reforming its police ordinance with the Police Order 2002. This new vision for policing in Pakistan was innovative. It sought to render the police independent and accountable and enable Pakistan's police force to eventually evolve into a force that is responsive to the needs, free of corruption and immune to political manipulation by the notoriously self-serving civilian politicians.Unfortunately, some of the most innovative steps to make the police independent and accountable to the people-not to political parties-were struck when the ordinance was amended in November of 2004. Many of the retired and serving police officials who worked on the 2002 ordinance were dismayed. They point out that while the police have historically served politicians, they were never doing so statutorily. With the amended statute, the police are now directly accountable to the lowest-level elected official, the Nazim. (This is consonant with Pakistan's de-evolution plan to bring about local governance.)22 The Pakistani government, with considerable merit, disagrees with these pessimistic assessments: it believes that this is a step in the right direction. Pakistani officials note that in theory, the Nazim is supposed to be independent. But even they admit that this not always the case in practice.23Why is this a situation a potential problem? Much of US police training efforts assume that Pakistan is going to make good on reforming the police at a structural level. Yet, as noted by such luminaries as Afzal Shigri, the amended ordinance is a severe retrenchment from the principals of the original 2002 Police Order.24 He and others believe that in some ways, this amended ordinance is worse than the original 1861 Act because it statutorily renders the police the hired hands of the politicians who in turn dictate the promotion and pay of the police officers under within their jurisdiction. Shigri and others are dubious that this arrangement can foster the development of better police practices within Pakistan.Unfortunately there are no easy conclusions to be drawn about this complex and highly debatable issue. Many observers within Pakistan share Mr. Shigri's concerns. Unfortunately the security situation prevailing in Pakistan has compelled the US mission in Pakistan to keep a small footprint. This has limited in some ways the ability of the mission to evaluate and appreciate the depth and gravity of this problem.25 From an analytical perspective, it is difficult to understand how US efforts will have the desired palliative effects if the government of Pakistan does not put into place a credible legal framework for the professionalization of the police forces. This should comprise an area of greater exploration and outreach with our friends in Pakistan.Concluding RemarksIn conclusion, I want to emphasize that US focus upon military assistance at the expense of Pakistan's civil society has generated considerable cynicism among Pakistanis of all strata. Such critics of US policies in Pakistan depict them as consonant with US efforts elsewhere to encourage and support non-democratic governments where such regimes are salient to US interests. Pakistanis desire greater resources and attention to be given to the rehabilitation of their civil society infrastructure and the restoration of parliamentary democracy-with all of its problems and inadequacies. The US needs to provide sensible support to inter alia the education system, law enforcement and judicial reform efforts and to other civilian institutions. The US needs to maintain a strategic focus on Pakistan and must look beyond Pakistan's near-term ability or willingness to cooperation on the US-led global war on terrorism.

The views expressed in this testimony are those of the author, not the U.S. Institute of Peace, which does not take positions on policy1 President Musharraf, who introduced the concept of Enlightened Moderation in June 2004, described this as a "...a two-pronged strategy. The first part is for the Muslim world to shun militancy and extremism and adopt the path of socioeconomic uplift. The second is for the West, and the United States in particular, to seek to resolve all political disputes with justice and to aid in the socioeconomic betterment of the deprived Muslim world." See Pervez Musharraf, "A Plea for Enlightened Moderation: Muslims must raise themselves up through individual achievement and socioeconomic emancipation. The Washington Post, Tuesday, June 1, 2004; Page A23.2 International Crisis Group. 2002. "Pakistan, Madrassahs, Extremism and the Military." ICG Asia Report 36. Islamabad/Brussels.3 Tahir Andrabi et al. "Religious School Enrollment in Pakistan: A Look at the Data." World Bank Working Paper, February 2005. http://econ.worldbank.org/external/default/main?pagePK=64165259&piPK=64165421&menuPK=64166093&theSitePK=469372&entityID=000112742_20050228152509/.4 See ongoing work by Saleem H. Ali, "Islamic Education and Conflict: Understanding the Madrassahs of Pakistan," Paper Presented at the United States Institute of Peace, June 24,

2005.5 See Tariq Rahman, "Pluralism and Intolerance in Pakistani Society Attitudes of Pakistani Students Towards the Religious 'Other'," Last revised October 30, 2003. Presented at conference on pluralism at the Agha Khan University-Institute for the Study of Muslim Civilization on October 25, 2003. http://www.aku.edu/news/majorevents/ismcconf-tr.pdf.6 Marc Sageman, Understanding Terror Networks (Philadelphia: University of Pennsylvania Press, 2004).7 C. Christine Fair, "Militant recruitment in Pakistan: Implications for Al-Qa'ida and Other Organizations," Studies in Conflict and Terrorism, Vol. 27, No. 6 (November/December 2004).8 K.K. Aziz, Murder of History: A Critique of History Textbooks Used in Pakistan (Lahore: Vanguard Books, 1998); A.H. Nayyar and Ahmed Salim, The Subtle Subversion: The State of Curricula and Textbooks in Pakistan-Urdu, English, Social Studies and Civics (Islamabad: Sustainable Development Policy Institute, 2003; Iftikhar Ahmed, "Islam, Democracy and Citizenship Education: An Examination of the Social Studies Curriculum in Pakistan," Current Issues in Comparative Education, Vol. 7, No. 1, December 15, 2004.9 In August of 2002, a five-year, $100 million bilateral agreement was signed with the Government of Pakistan. Implementation is underway. See http://www.usaid.gov/pk/program_sectors/education/program_summary.shtml.10 See USAID Pakistan, "Interim Strategic Plan: May 2003-September 2006," May 2003.11 See "Syllabus Must Adhere to Islamic Spirit, Says Jamali" Dawn (Karachi), April 4, 2004; "We Won't Change School Curricula, Says Zubaida," Daily Times (Lahore), April 4, 2004; "No Plan to Change Madrassa Curriculum: Ejaz," Dawn (Karachi), April 12, 2004; "PML-N Joins MMA Protest Over Issue of Curriculum," Dawn (Karachi), April 8, 2004; B. Muralidhar Reddy, "Education in Pakistan," Hindu (Madras), September 22, 2004; "Thinking of the Toxic Textbooks Again," Daily Times (Lahore), December 8, 2004. See also discussion in K. Alan Kronstadt, Education Reform in Pakistan, CRS Report for Congress, Order Code RS22009, December 23, 2004.12 See Husain Haqqani, Pakistan: Between Mosque and Military (Washington D.C.: Carnegie Endowment for International Peace, 2005).13 This sections from ongoing work undertaken by Christine Fair and Peter Chalk for USIP Research and Studies program.14 Interview with the ISI in Islamabad in January 2005.15 Despite popular depictions of this code, Pakhtunwali, there are limits to this required hospitality. For instance, one is not obliged to provide this shelter indefinitely and under any set of circumstances16 See Amnesty International, Human Rights Abuses in the Search for Al-Qa'ida and Taleban in the Tribal Areas, April 1, 2004. Available at http://web.amnesty.org/library/Index/ENGASA330112004?open&of=ENG-PAK. Also Human Rights Watch, Human Rights Overview: Pakistan, 2005. Available athttp://hrw.org/english/docs/2004/12/14/pakist9852.htm.17 See Letter to the Editor by Aslam Minhas commenting on "A leaf from Israel's book," a June 1, 2004 editorial in The Dawn. Available at http://www.dawn.com/2004/06/06/letted.htm#6. See also Faheem Hussain, "Some Thoughts on Waziristan: Once and Always a Colonial Army," March 27/28, 2004. CounterPunch Online.18 International Narcotics and Law Enforcement: FY 2004 Budget Justification. Released by the Bureau for International Narcotics and Law Enforcement Affairs, June 2003. Available athttp://www.state.gov/g/inl/rls/rpt/cbj/fy2004/21884.htm.19 This sections from ongoing work undertaken by Christine Fair and Peter Chalk for USIP Research and Studies program.20 See International Narcotics and Law Enforcement: FY 2004 Budget Justification. Released by the Bureau for International Narcotics and Law Enforcement Affairs, June 2003. Available athttp://www.state.gov/g/inl/rls/rpt/cbj/fy2004/21884.htm.21 Nadeem Azhar Hassan, Pakistan: The Political Economy of Lawlessness (Karachi: Oxford University Press, 2002).22 National Reconstruction Bureau, Local Government Plan 2002. Available at www.nrb.gov.pk. No date.23 Meeting with Washington-D.C. based Pakistani officials in June 2005 on this subject.24 Afzal Shigri is former Pakistan Police Inspector General who was integrally involved in the drafting of the Police Order 2002. He has written numerous articles and position papers on this subject.25 Interviews with US officials in Islamabad.